

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**IN RE: GENERIC PHARMACEUTICALS  
PRICING ANTITRUST LITIGATION**

**MDL 2724  
16-MD-2724**

**THIS DOCUMENT RELATES TO:**

*César Castillo, Inc., et al. v. Actavis Holdco  
U.S., Inc., et al.*

**HON. CYNTHIA M. RUGE  
Individual Case No. 20-721**

**ORDER**

**AND NOW**, this 15<sup>th</sup> day of March 2021, upon consideration of the attached Joint Stipulation to Waive Service and Extend the Deadline for Epic Pharma, LLC to Respond to the Direct Purchaser Plaintiffs' October 21, 2020 Amended Complaint, it is hereby **ORDERED** that the Stipulation is **APPROVED**.

It is so **ORDERED**.

**BY THE COURT:**

*/s/ Cynthia M. Rufe*

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**CYNTHIA M. RUGE, J**

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*César Castillo, Inc., et al. v. Actavis Holdco U.S., Inc., et al.*

**HON. CYNTHIA M. Rufe  
Individual Case No. 2:20-cv-00721**

**JOINT STIPULATION TO WAIVE SERVICE AND EXTEND THE DEADLINE FOR  
DEFENDANTS TO RESPOND TO DIRECT PURCHASER CLASS PLAINTIFFS'  
AMENDED COMPLAINT**

WHEREAS, Direct Purchaser Class Plaintiffs Cesar Castillo, Inc.; FWK Holdings, L.L.C.; KPH Healthcare Services, Inc., a/k/a Kinney Drugs, Inc.; and Rochester Drug Co-operative, Inc., on behalf of themselves and all others similarly situated (collectively “Plaintiffs”) filed an Amended Complaint on October 21, 2020, in *Cesar Castillo, Inc., et al. v. Actavis Holdco U.S., Inc., et al.*, Case No. 2:20-cv-00721-CMR, which is centralized for pretrial proceedings as part of *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, Case No. 16-md-02724-CMR, MDL No. 2724;

WHEREAS, Defendant Epic Pharma LLC (“Stipulating Defendant”) has agreed to waive service of the Direct Purchaser Class Plaintiffs’ Complaint and the parties have reached an agreement to extend the time within which the Stipulating Defendant must move against, answer, or otherwise respond to the Direct Purchaser Class Plaintiffs’ Amended Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the undersigned counsel, on behalf of their respective clients, as follows:

1. The Stipulating Defendant waive service of the Direct Purchaser Class Plaintiffs’ Complaint and Summons pursuant to Federal Rule of Civil Procedure 4(d), and this Stipulation shall be deemed proof of that waiver pursuant to Federal Rule of Civil Procedure 4(d)(4).

2. The Deadline for the Stipulating Defendant to move against, answer, or otherwise respond to the Direct Purchaser Plaintiffs Class Action Complaint is ADJOURNED until such time as the Court orders the filing of response to complaints filed on or after May 10, 2019.

3. This stipulation does not constitute a waiver by the Stipulating Defendant of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12.

IT IS SO STIPULATED.

Dated: March 15, 2021

/s/ Dianne M. Nast  
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